

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In re: :
WAYNE & CHRISTINE :
DRAGER :
Debtor : CHAPTER 7
: CASE NO.: 11-42200 KCF
: :
: MOTION FOR DAMAGES FOR VIOLATION
: OF THE AUTOMATIC STAY
: :
: ORAL ARGUMENT: Waived unless opposed

ORDER FOR DAMAGES FOR A VIOLATION OF THE AUTOMATIC STAY

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Debtor: Wayne & Christine Drager

Case No.: 11-42200 KCF

Caption: Order for Damages for a Violation of the Automatic Stay

This matter being opened to the Court by the Law Office of Peter E. Zimnis, (attorney for the debtor Wayne & Christine Drager), John Zimnis, Esq. appearing and the Court having considered the pleadings and proofs submitted, and argument of counsel if any;

It further appearing that proper service has been completed on all those creditors against whom this motion is directed, and

It further appearing that upon the return date of said motion, this Court has considered the documentation heretofore filed for and on behalf of the debtors and for and on behalf of other parties in interest and also has considered the arguments of counsel appearing in open court, and

Good and sufficient cause appearing of the entry of this Order, It is on this _____ day of _____, 2012,

ORDERED AND ADJUDGED as follows, to wit:

1. H&R Block Bank has willfully violated the automatic stay (as specified in 11 U.S.C. 362) against Wayne & Christine Drager; and
2. due to H&R Block Bank's willful violation of the automatic stay, H&R Block Bank shall pay to the debtor Wayne & Christine Drager *actual damages* in the amount of \$_____; and
3. due to H&R Block Bank's willful violation of the automatic stay, H&R Block Bank shall pay to the debtor Wayne & Christine Drager *punitive damages* in the amount of \$_____; and
4. due to H&R Block Bank's willful violation of the automatic stay, H&R Block Bank shall pay to the debtor's attorney *legal fees* in the amount of \$_____; and
5. these monies shall be paid within 30 days of this Order, otherwise, H&R Block Bank shall be held in contempt of a Court order.